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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/485,650 04/05/00 BETTIOL

J CM1817

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IM52/0301

EXAMINER
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CINCINNATI OH 45217-1087

<del>PUBL. A</del> ART UNIT	PAPER NUMBER
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1751  
DATE MAILED:

03/01/01

*6*

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

## Office Action Summary

09/485,650

BETTIOL ET AL.

Examiner

Art Unit

ANIL K. PURI

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04/05/00.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 and 12-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 12-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-844)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_

- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-100)
- 20) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

2) Claims 1 and 12-31 are pending in this application

#### ***Specification***

1) This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 19 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "1800E7", "1200E7" and "600E20" is non-limiting and indefinite term. Explain, what is it?

#### ***Claim Rejections - 35 USC § 103***

3) The following is a quotation of 35 U.S.C. 103(a), which forms the basis for all obviousness rejections, set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negative by the manner in which the invention was made.

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Claims 1,12-18 and 20-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghosh et al [U.S. 5858948]. In combination with Cuperus et al [ WO 95/35362]

. The primary reference of Ghosh et al teaches laundry liquid detergent compositions that comprise nonionic and aromatic surfactants alone or in combination with the protease enzyme (see col. 6 lines 43) together with a combination of non-cotton soil release agents (see.col.3 and 4), non ionic surfactant (see col.5 line 60-65 and col.33-34),builders(see col.43-44). These combinations provide a liquid laundry detergent composition that is effective for providing soil release benefits to all fabric. (See col. 3, lines 23-32). The claims differ in that they require mannanase enzyme. The secondary reference Cuperus et al in analogue art teaches Mannanase is the hemicellulose degrading enzyme uses as the additives in the detergent in a cleaning composition. Enzyme ingredients for such composition include surfactant, builder and bleaching agents. Secondary reference further teaches that composition is particularly suitable for removing stains of vegetable origin especially from textile, cleaning surface and kitchenware. (see page 11 lines 15-30 and page 12 line 5-10)

Therefore, in view of the teaching(s) of the secondary reference, one having ordinary skill in the art would be motivated to modify the primary reference (s) by using mannanase to make detergent compositions comprising cotton soil release polymers and mannanase enzyme\ Such modification would be obvious because one would expect that the use of protease enzyme as "Detersive enzyme" as used herein, means any enzyme having a cleaning, stain removing or otherwise beneficial effect in laundry,

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hard surface cleaning or personal care detergent composition as taught by Ghosh et al would be similarly useful and applicable to the analogues to mannanase composition as taught by Cuperus et al because they are taught to be equivalent in action.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicants disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil K Puri . His phone number is (703) 605-4427. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Dr. Y. Gupta can be reached on (703)-308-7408

Anil  
February 22, 2001



**MARGARET EINSMANN  
PRIMARY EXAMINER  
GROUP 1100**